

**ORIGINAL**  
COMMISSIONERS  
DOUG LITTLE - Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN

# OPEN MEETING ITEM



## ARIZONA CORPORATION COMMISSION

DATE: FEBRUARY 16, 2016

DOCKET NOS.: W-01445A-06-0199, SW-03575A-05-0926, W-03576A-05-0926, SW-03575A-07-0300, W-03576A-07-0300, W-01445A-06-0200, SW-20445A-06-0200, W-20446A-06-0200, W-03576A-06-0200, SW-03575A-06-0200, WS-01775A-07-0485, SW-03575A-07-0485, W-02442A-07-0485, and W-03576A-07-0485.

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Scott M. Hesla. The recommendation has been filed in the form of an Order on:

ARIZONA WATER COMPANY, PALO VERDE UTILITIES COMPANY, SANTA CRUZ WATER COMPANY, GLOBAL WATER RESOURCES, LLC, CP WATER COMPANY and FRANCISCO GRANDE UTILITIES.

**(ORDER EXTENDING TIME DEADLINES CONTAINED IN DECISION NO. 73146)**

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

FEBRUARY 25, 2016

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MARCH 2, 2016 AND MARCH 3, 2016

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

**DOCKETED**

FEB 16 2016

DOCKETED BY	<i>KC</i>
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*Jodi A. Jerich*  
JODI A. JERICH  
EXECUTIVE DIRECTOR

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE - Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN

IN THE MATTER OF THE APPLICATION OF  
ARIZONA WATER COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-06-0199

IN THE MATTER OF THE APPLICATION OF  
PALO VERDE UTILITIES COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. SW-03575A-05-0926

IN THE MATTER OF THE APPLICATION OF  
SANTA CRUZ WATER COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-03576A-05-0926

IN THE MATTER OF THE APPLICATION OF  
PALO VERDE UTILITIES COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. SW-03575A-07-0300

ARIZONA WATER COMPANY, AN ARIZONA  
CORPORATION,

COMPLAINANT,

VS.

GLOBAL WATER RESOURCES, LLC, A  
FOREIGN LIMITED LIABILITY COMPANY;  
GLOBAL WATER RESOURCES, INC., A  
DELAWARE CORPORATION; GLOBAL  
WATER MANAGEMENT, LLC, A FOREIGN  
LIMITED LIABILITY COMPANY; SANTA  
CRUZ WATER COMPANY, LLC, AN ARIZONA  
LIMITED LIABILITY CORPORATION; PALO  
VERDE UTILITIES COMPANY, LLC, AN  
ARIZONA LIMITED LIABILITY  
CORPORATION; GLOBAL WATER - SANTA  
CRUZ WATER COMPANY, AN ARIZONA  
CORPORATION; GLOBAL WATER - PALO  
VERDE UTILITIES COMPANY, AN  
ARIZONA CORPORATION; JOHN AND JANE  
DOES 1-20; ABC ENTITIES I-XX,

RESPONDENTS.

DOCKET NO. W-01445A-06-0200  
DOCKET NO. SW-20445A-06-0200  
DOCKET NO. W-20446A-06-0200  
DOCKET NO. W-03576A-06-0200  
DOCKET NO. SW-03575A-06-0200

IN THE MATTER OF THE JOINT APPLICATION  
OF CP WATER COMPANY AND FRANCISCO  
GRANDE UTILITIES COMPANY TO TRANSFER  
THEIR CERTIFICATES OF CONVENIENCE AND  
NECESSITY AND ASSETS TO PALO VERDE  
UTILITIES COMPANY AND SANTA CRUZ  
WATER COMPANY.

DOCKET NO. WS-01775A-07-0485  
DOCKET NO. SW-03575A-07-0485  
DOCKET NO. W-02442A-07-0485  
DOCKET NO. W-03576A-07-0485

DECISION NO. \_\_\_\_\_

**ORDER EXTENDING TIME**  
**DEADLINES CONTAINED IN**  
**DECISION NO. 73146**

Open Meeting  
March 2 and 3, 2016  
Phoenix, Arizona

**BY THE COMMISSION:**

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

**FINDINGS OF FACT**

1. On May 1, 2012, the Arizona Corporation Commission ("Commission") issued Decision No. 73146 approving the applications of Global Water - Santa Cruz Water Company ("Global-Santa Cruz") and Global Water - Palo Verde Utilities Company ("Global-Palo Verde") (collectively "Global Utilities" or "Company") for extensions of their Certificates of Convenience and Necessity ("CC&Ns") in various parts of Pinal County, Arizona. Decision No. 73146 ordered, among other things, the following:

- Global-Santa Cruz shall file with Docket Control, as a compliance item by December 31, 2014, a copy of the Certificate of Approval to Construct ("ATC") issued by the Arizona Department of Environmental Quality ("ADEQ") for the wells, mains, storage tank, and booster pump station installed to serve the first parcel in the requested extension area.
- Global-Santa Cruz shall file with Docket Control, as a compliance item by December 31, 2014, a letter from the Arizona Department of Water Resources ("ADWR") indicating that Global-Santa Cruz's Designation of Assured Water Supply ("DAWS") has been modified and approved to include the approved extension areas.

- 1       • Global-Santa Cruz shall file with Docket Control, as a compliance item by December
- 2       31, 2014, a letter from ADWR indicating that Global-Santa Cruz's DAWS has been
- 3       modified and approved to include CP Water Company's service areas.
- 4       • Global-Palo Verde shall file with Docket Control, as a compliance item in this docket
- 5       by December 31, 2014, a copy of the ATC for the sewer mains that will serve the first
- 6       parcel in the approved extension area.

7       2.     On December 18, 2014, Global Utilities filed a Motion for Extension of Time  
8 requesting extensions of the above compliance filing deadlines from December 31, 2014 until  
9 December 31, 2019. According to Global Utilities, the additional infrastructure is not yet needed due  
10 to the economic slowdown which took place after the extension areas were granted to Global  
11 Utilities.

12       3.     On June 12, 2015, the Commission's Utilities Division ("Staff") filed a Memorandum  
13 recommending denial of the extension requests because the Company failed to obtain renewed  
14 service request letters from all the individual landowners in the certificated extension area.

15       4.     On September 30, 2015, Global Utilities filed a Reply in Support of Motion for  
16 Extension of Time arguing that obtaining renewed service request letters from each individual  
17 landowner in the certificated area would be administratively burdensome and is not required under  
18 A.A.C. R14-2-402(B)(5)(t).

19       5.     Also on September 30, 2015, Global Utilities filed a copy of "Type 4.01 General  
20 Permit – Construction Authorization for a Sewage Collection System" to demonstrate that Global-  
21 Palo Verde has received the requisite approval for construction of the sewer mains that will serve the  
22 first parcel in the approved extension area.<sup>1</sup>

23       6.     October 1, 2015, Global Water Utilities filed a Notice of Errata to Reply in Support of  
24 Motion for Extension of Time.

25       7.     On December 21, 2015, Staff filed a Memorandum stating that it has reconsidered its  
26

27       <sup>1</sup> Global Utilities states that ADEQ does not issue ATCs for wastewater collection systems, including sewer mains.  
28 According to Global Utilities, the relevant ADEQ document that approves the construction of a wastewater collection system is the "Type 4.01 General Permit – Construction Authorization for a Sewage Collection System."

1 position and now believes the renewed request for service letters should not be required for  
 2 processing requests for extensions of time. Staff recommends that the deadlines for filing the  
 3 remaining ATC and DAWS should be extended, from December 31, 2014 to December 31, 2024, due  
 4 to the slow recovery of development.

5 8. We find that Staff's recommendation is reasonable and should be adopted.

6 9. We further find that Global-Palo Verde is in compliance with the ATC filing deadline  
 7 for constructing the sewer mains that will serve the first parcel in the approved extension area.

8 **CONCLUSIONS OF LAW**

9 1. Global Water - Santa Cruz Water Company and Global Water - Palo Verde Utilities  
 10 Company are public service corporations within the meaning of Article XV of the Arizona  
 11 Constitution and A.R.S. §§ 40-281 and 40-282.

12 2. The Commission has jurisdiction over Global Water - Santa Cruz Water Company and  
 13 Global Water - Palo Verde Utilities Company and the subject matter of the extension requests  
 14 discussed herein.

15 3. An extension of time to comply with the filing requirements of Decision No. 73146, as  
 16 discussed herein, is fair and reasonable and in the public interest.

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**ORDER**

IT IS THEREFORE ORDERED that Global Water - Santa Cruz Water Company and Global Water - Palo Verde Utilities Company shall be granted an extension of time, until December 31, 2024, to file the remaining ATC and DAWS as previously ordered in Decision No. 73146.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SMH:ru

SERVICE LIST FOR:

ARIZONA WATER COMPANY, PALO VERDE UTILITIES COMPANY, SANTA CRUZ WATER COMPANY, GLOBAL WATER RESOURCES, LLC, CP WATER COMPANY and FRANCISCO GRANDE UTILITIES.

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